1   Sustainable Land Development Code Overview

The Santa Fe County Growth Management Department in coordination with the County Manager's Office and the Legal Department is establishing a procedure for the drafting and review of the proposed Sustainable Land Development Code (SLDC).

The SLDC is the legal implementing device for the Sustainable Growth Management Plan and contains detailed regulations for the development of land within the County.

Land development codes do not happen frequently. The original County code was passed in 1980 and updated in 1996. Development patterns and future growth locations impact everyone, whether you live in the city or county.

- Zoning, water, traffic, pollution, trails, open space, community planning, proximity of goods and services are all dependent on this code
- Subdivisions, property improvements, home businesses, procedures and fees are all covered by this code
- City residents are also county residents and even if you live in a city, nearby development in the county affects you, through increased traffic and other impacts

1.1 The Code Drafting and Public Input Process (PIP) – Three Tiers

The overall process consists of Three Tiers in several phases:
1. Development and Technical Review of the draft code;
2. Public review and comment (Public Input Process) on:
    a. Concept Decision Points (CDPs) and their relation to the SGMP and how they are implemented in the SLDC, and
    b. Code draft elements when they have been reviewed against CDPs) .
3. Review and Direction from the Board of County Commissioners

1.1.1 First Tier – Draft Code and Technical Review
The development of the SLDC is a collaborative effort of Legal, the County Manager's Office and the Growth Management Department (GMD), referred to as the **Code Draft Team**. This team will work on drafting all elements of the code. Drafts for specific sections and/or chapters will be written and cleared for further review by the staff Technical Review Team (TRT). The Code Draft Team is lead by County Attorney, Steve Ross and includes Penny Ellis Green, Deputy County Manager, and Robert Griego, Planning Manager/GMD.

Once a portion of the SLDC has been written and approved for review, it will be given to the **Technical Review Team**. The TRT is a current review team comprised of members of the GMD, including Building and Development Services, Planning, GIS and Affordable Housing; Community Services; Public Works and Utilities; Fire; Finance and Legal. The TRT will review sections of the Code, make comments and suggestions and send their review back to the Code Draft Team for further consideration. The Technical Review Team is under the direction of Building and Development Services Manager, Shelley Cobau.

As the public review process evolves, sections of the Code that have been drafted by the Code Draft Team and reviewed by the TRT will also be reviewed by the public through the PIP process.

1.1.2 Second Tier – Public Input Process
Public review and comment will be undertaken through a formalized Public Input Process (PIP). The PIP will conduct public meetings and workshops to review specific land use concepts that were adopted in the SGMP but that need further discussion, clarification and, in

some cases, alternative solutions or recommendations. These will be called Concept Decision Points (CDPs) in the PIP.

CDPs are decisions about concepts, issues and ideas that may be controversial and need further clarification or discussion in order to be implemented through the SLDC. In certain cases, implementation details will be used to assist in deciding policy directives.

As the PIP proceeds, certain sections or elements of the Code draft will be brought back into the PIP process to make sure they conform to the CDP directives and also that they conform to the Sustainable Growth Management Plan.

1.1.3 Third Tier – Review and Direction from the Board of County Commissioners
The results and recommendations of the PIP concerning CDPs and any related Code drafts will be reviewed by the BCC in public study sessions. The BCC will consider the CDPs and related Code recommendations and provide direction to staff for further consideration and drafting for inclusion in the Final Code Draft.

Examples of some concepts that will be Concept Decision Point discussions include home occupations and businesses, family transfers, water requirements, community and district plans, and base zoning requirements, among others.
"Decisions are made, Code is written"

1.2 Phasing, Meetings, Scheduling and Time Frame
The PIP will be conducted in several phases in different locations throughout the County and will include mechanisms for public input and feedback systems through the Internet and the County website.

The PIP will be devised, managed and implemented by local facilitator, David Gold. Jack Kolkmeyer, Director of the Growth Management Department, and Planning Manager, Robert Griego, will coordinate the process and provide staff assistance.

The PIP and Code Review Process will begin mid- May and the first BCC Code workshop is proposed for mid-June. A Final SLDC Draft is projected to be completed by December 30, 2011.

2   Pubic Input Process Overview

The Sustainable Growth Management Plan (SGMP) defined a framework for the Sustainable Land Development Code (SLDC) as well as many details. However there are a number of policy and detailed decisions that need to be made to complete the SLDC.

The SLDC goal is to bring a long-term vision to housing, community planning, water, economic development, open space, and transportation maintaining a balance between individual rights and the impact on the community.

The Public Input Process (PIP) is a critical element in completing and passing a worthwhile SLDC. With many diverse eyes and minds united we can create an excellent implementation of the SLDC with wide public support.

The key is making sure the public is genuinely <u>heard</u> by decision makers. The decision makers may ultimately disagree with the input, but at least the public will have a good opportunity to convey their point of view.

The process encourages participation by:
- Identifying Concept Decision Points (CDPs) the define policy early in the process, rather than debating policy issues after the code is written.
- Use of appropriate Internet technology to help manage input and encourage remote participation.
- Educating the public about issues so decision makers can receive considered input.
- As citizens understand each other's needs, good solutions can be identified.

3   Concept Decision Points and Implementation Details

The process relies on identifying Concept Decision Points (CDPs) and Alternatives. The goal is to define policy before implementing the code. This allows the public and the decision makers to focus on the issues.

The discussion of the code, will center around whether the code implements the decisions for each CDP, and the SGMP. If decision points are found in the code, they we will extracted and the issues discussed.

Implementation Details are similar. They indirectly define policy by specifying numbers that are used in the code.

3.1 Examples of "Concept Decision Points" and "Alternatives"

The Concept Decision Points (CDPs) allow the decision makers and the public to focus on a specific issue. A policy question is asked and alternatives are presented. Examples of CDP questions are:
- What type of development is allowed in SDA-2/3?
- Should density be a factor in determining restrictions for home based businesses?
- Should hardship variances be allowed?
- How will community/district plans be allowed to differ from the code, if at all?

Each question has a number of potential alternatives. For example:

> **`Should hardship variances be allowed?`**
> - Not allowed
> - Only in the most dire conditions
> - Sometimes

3.2 Examples of "Implementation Details"

In a number of cases the details of implementing the policy need to be fleshed out, or will actually define policy. For example:

> **Examples of implementation details**
> - What are the specific densities for development in each SDA area?
> - What levels of water usage are allowed?
> - How much additional density will be allowed for incentive bonuses (affordable housing, green building, etc.)?

As we go through the process, we will determine what level of detail is appropriate.

3.3 Where Do CDPs Come From?

CDPs come from several sources:
- The initial list is compileded by the staff
- More CDPs will added as a result of public meetings. Others may be amalgamated or dropped.
- As the code is released more CDPs may be identified

In all cases CDPs will be used to discuss the policy issues rather than the code.

4   Meetings

The meetings will help the community provide the best input to the decision makers, so they will be heard. Meetings will:
- Educate community members about CDPs and the tradeoffs
- Hear how CDP policy will affect community members
- Try to arrive at solutions
- Clarify positions to provide clear input to decision makers
- As more code is released the meetings will gradually shift from CDP discussion to code discussion.

4.1 Public Meetings

4.1.1 Phase I: Define Process / Identify CDPs: May - June
- Process: Discuss ways to improve process
- Start with an initial list of CDPs and discuss what should be on it
- Evaluate a few CDPs to test process.

4.1.2 Phase II: Concept Decision Points, Alternatives and Implementation Details: July - October
- Continue to evaluate CDPs adding to the list.
- Begin to evaluate whether code complies to CDP decision and plan

4.1.3 Phase III: Code Implementation Meetings: November - December
- Continue to add CDPs to the list, based on CDPs found in code
- Continue to evaluate whether code complies to CDP decision and plan

4.2 Stakeholder Meetings – throughout the process

- Help stakeholders understand how the process impacts them
- Help stakeholders develop focused input to decision makers
- Find stakeholders who are affected by SLDC

5　How We will Use Technology

Appropriate technology will be a critical part of the process. It will encourage:

- Feedback which proves the public is being heard
- Transparency
- Participation

These are the major technological pieces:

- A Public Input Data Base
- Message Forum
- Wiki
- Remote Meeting mechanisms
- Social Networking and email notifications

5.1 Public Input Data Base

- Capture input from public or staff and automatically put it in a data base
- Allow the public to enter and review input using the Internet
- Produce matrices automatically similar to the ones generated by planning staff during the SGMP process.
- Track a status of each input item, to give feedback that someone has looked at it, or it has been included.
- Sorting and searching capabilities (e.g. show all the outstanding decision points for a specific individual, or find all input related to a specific CDP alternative)
- Record process suggestions, CDP, Implementation Details and Code input

5.2 Message Forum

- A place to hone input into the PIDB
- Discuss events or process related to PIP

5.3 Wiki

- Groups could work together to find common solutions
- If not a common solution, interest groups could at least agree on input

5.4 Networked Meetings

- See the meetings remotely
- Participate in meetings remotely
- View relevant documents

5.5 Notification Technology
- Social Networking: Principal use could be notification of public meetings and events, although some discussion could also be utilized
- Email: notification of meetings and events

5.6 People Who Aren't Comfortable with Technology
There are people who are uncomfortable with technology. This needs to be accommodated. Some accommodations are:
- Guide individuals through using the PIDB to record their input,
- Develop telephone lists for people who don't use email or the Web
- Have sufficient remote pubic meetings to let people express themselves without technology.
- Record public meeting input, so people who are not technology users are still heard.

6 How to Make Sure You Are Heard

There a several things you can do to make sure you are heard by decision makers. All of these involve presenting your views in the best way possible. Public meetings will encourage the following:

6.1 Understand the big picture: what are all the sides of policy?
Decision makers have to look at all sides of an issue. If it's clear that you understand the broader issues, your input will be much more valuable.
- How does this affect individuals?
- How does this affect nearby neighbors and the community at large?
- What are the effects over the long-term. 20 years? 40 years? 100 year?
- What is the cost of implementing a policy ... and who is paying?
- What happens when many people countywide are doing the same thing (i.e. it's more than just you)?

6.2 Work with diverse groups to try to identify solutions
Decision makers ultimately have to identify a solution, even if there is conflict. They love it when diverse groups can agree a solution in advance. At first it may not be easy to work with people that have different ideas. However this is the strongest tool for being heard.

6.3 Communicate clearly and concisely

6.4 Treat decision makers, staff and other citizens with respect
Decision makers, staff and fellow active citizens are all human beings. Apply the Golden Rule: . Telling someone off might give one minute of satisfaction. Positively affecting the plan will last for 10-15 years.

6.5 Be Honest

Be completely truthful about who you are and why you support a point of view. If you present facts or statistics, make sure they are real, and unbiased, or clearly explain the biases you think might be there.

Decision makers will find the truth out. If you are dishonest about one area, it casts a shadow over everything else you say. A track record of honesty greatly increases your ability to be heard.